

MADAGASCAR

a. SUMMARY OF CLAIMS

TYPE	DATE	SOURCE	LIMITS	NOTES
I. TERRITORIAL SEA	Feb 63	Decree No. 63-131	12nm	
	Sep 73	Ordinance No. 73-060	50nm	
	Sep 85	Ordinance No. 85-013	12nm	
II. ARCHIPELAGIC, STRAIGHT BASELINES, & HISTORIC CLAIMS	Feb 63	Decree No. 63-131		Established straight baselines; see LIS No. 15.
III. CONTIGUOUS ZONE	Sep 85	Ordinance No. 85-013	24nm	
IV. CONTINENTAL SHELF	Sep 73	Ordinance No. 73-060	150nm	Legislation treated continental shelf and exclusive economic zone as interchangeable.
	Sep 85	Ordinance No. 85-013	200nm or 100nm from the 2,500 meter isobath	
V. FISHING ZONE/EEZ	Sep 73	Ordinance No. 73-060	150nm	EEZ: legislation treated continental shelf and exclusive economic zone as interchangeable.
	Sep 85	Ordinance No. 85-013	200nm	EEZ
VIII. LOS CONVENTION	Feb 83			Signed.

b. DOMESTIC LEGISLATION AND REGULATIONS

1. STRAIGHT BASELINES

A. LEGISLATION. Following are extracts from Decree No. 63-131 of February 1963 establishing Madagascar's straight baseline system:

Article 1

The external limit of the territorial sea is constituted by a line whose every point is situated at a distance of 12 nautical miles from the nearest point of the baseline, which is defined in the following article.

Article 2

The baseline, from which the territorial sea is measured, is the irregular polygon traced on the annexed map (see map, P. 652-3) and whose apexes are formed by the following points:

1.	Cap d'Ambre	11°56' 49°15'	South East	11.	Nosy Androtra	18°30' 43°48'	South East
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2.	Nosy Anambo	12°16' 48°39'	S. E.	12.	Cap Kimby	18°52' 44°15'	S. E.
3.	Nosy-Lava	12°45' 48°40'	S. E.	13.	Delta de la Manombrio	19°03' 44°13'	S. E.
4.	Nosy Iranja	13°35' 47°50'	S. E.	14.	Illet Indien	19°48' 44°22'	S. E.
5.	Nosy-Lava	14°32' 47°35'	S. E.	15.	Cap Ankarana	20°29' 44°07'	S. E.
6.	Pointe Maromanjo	15°31' 46°28'	S. E.	16.	Nosy Andriangory	20°50' 43°45'	S. E.
7.	Cap Sainte-Andre	16°12' 44°27'	S. E.	17.	Nosy Lava	21°45' 43°16'	S. E.
8.	I. Chesterfield	16°20' 43°58'	S. E.	18.	Nosy Hao	22°05' 43°11'	S. E.
9.	Nosy Vao	17°30' 43°46'	S. E.	19.	Les Couns de Mire	22°26' 43°15'	S. E.
10.	Nosy Mavony	18°19' 43°45'	S. E.	20.	Pointe Rendrehana	22°49' 43°21'	S. E.
21.	Tulear	23°22' 43°38'	S. E.	30.	Foulpointe	17°41' 49°32'	S. E.
22.	Falaises de Lanivato	24°20' 43°40'	S. E.	31.	Pointe Albrand	16°42' 50°02'	S. E.
23.	Cap Andriamano	25°00' 44°02'	South East	32.	Cap Bellone	16°13' 49°52'	South East
24.	Nosy Manitra	25°14' 44°13'	S. E.	33.	Nosy Nepato	16°00' 50°14'	S. E.
25.	Cap Sainte-Marie	25°35' 45°08'	S. E.	34.	Cap Tanjondango	15°48' 50°20'	S. E.
26.	Faux Cap	25°35' 45°31'	S. E.	35.	Nosy Voara	15°28' 50°27'	S. E.
27.	Baie de Ranofotsy	25°11' 46°43'	S. E.	36.	Nosy Ngotsy	15°16' 50°28'	S. E.
28.	Pointe Itaperina	25°00' 47°06'	S. E.	37.	Pointe de Vohemar (Harambazaha)	13°21' 50°01'	S. E.
29.	Sainte-Luce	24°46' 47°13'	S. E.	38.	Nosy Akao	12°48' 49°51'	S. E.

Article 3

The baseline between consecutive points is the straight line which connects them with the exception of points 29 (Sainte-Luce) and 30 (Foulpointe) where the baseline coincides with the low-water line of the coast.

B. ANALYSIS Following is the text of explanatory comments regarding Madagascar's straight baseline system that appeared in Limits in the Seas, No. 15, "Straight Baselines: Madagascar," 16 March 1970:

The decree creates a continuous straight baseline (SBL) from point 30 counter-clockwise to point 29. The low-water mark of the intervening coast, between Points 29 and 30, which measures approximately 452 nautical miles, forms the normal baseline. The individual segments of the straight baseline are as follows:

Points	Distance (nautical miles)	Comments
1 - 2	40.0	The line joins the northern-most point of the island of Madagascar with an offshore island 10.5 nautical miles from mainland; deviates approximately 12° from general trend of coast which is embayed and fringed with many reefs as well as islets and rocks.
2 - 3	29.0	Two offshore islands are joined. The SBL cuts the general trend of the coast at an angle of approximately 32°.
3 - 4	70.8	Same. Angle to the general trend of the coast is 10°.
4 - 5	58.0	Same. Coastline is indented and fringed with approximately 16 islands and islets as well as with large patches of reef. Identical with general trend of coast.
5 - 6	86.0	Joins offshore island to mainland; encloses two deep legal bays; virtually no islands. SBL within 2° of general trend of coast.
6 - 7	123.1	One of the longest single stretches of SBL in world; identical with general trend of coast. Encloses four bays and a coastal indentation of considerable area. SBL with 1 mile of two capes and 2 miles of another.
7 - 8	30.0	Joins mainland with island 30 miles offshore while continuing the general trend of the past section of coast, i.e. formed by SBL Sector 6-7. Mainland is quite smooth with virtually no islands.
8 - 9	70.9	Joins two distant offshore islands; SBL within 10° of general trend of coast but at an average distance of more than 20 nautical miles.
9 - 10	49.9	Joins two offshore islands (c. 11 19 n.m.) along a relatively smooth coast. Three islets, one seaward of SBL, and a half dozen patches of reef. Within 13° of general trend of coast.
10 - 11	11.0	Joins two offshore islets; relates to coast at an angle of 11°.
11 - 12	34.0	Joins islet to mainland, which since point 7 has been relatively smooth and without many islands. Encloses about 35% of the shallow Banc de Pradel, less than 25 fathoms. SBL varies from general trend of coast by c. 37°.

Points	Distance (nautical miles)	Comments
12 - 13	10.7	Joins two mainland capes; angle identical over short distance but 20° from general trend.
13 - 14	46.2	Joins two mainland capes; identical with general trend of coast, between points 9 and 14.
14 - 15	44.1	Joins two mainland capes; SBL at angle of 14° to general trend of the coast.
15 - 16	23.4	Same in angularity but joins mainland with offshore island (c. 8 n.m.). Few islands and generally smooth coast.
16 - 17	60.1	Joins two offshore islands. SBL within 4° of general trend of the coast. Ten isolated patches of reef; one continuous at southern point. Coastline smooth except for island development in delta of Mangoky River. See Summary below.
17 - 18	21.5	SBL begins to "bend" to conform with change in general direction of coast. Joins two offshore islands. Coast lined with reefs. Three islets seaward of SBL.
18 - 19	21.3	Same as above.
19 - 20	24.0	See Summary below.
20 - 21	35.1	See Summary below.
21 - 22	58.9	See Summary below.
22 - 23	46.1	Smooth coastline; angularity virtually zero. See Summary below.
23 - 24	16.4	Joins headland to small offshore island. Angular deviation approximately 4°.
24 - 25	51.8	Very smooth coastline without islands. Joins island to southern cape of Madagascar. Angle and general trend virtually identical.
25 - 26	20.8	Headland to headland enclosing shallow indentation. No islands. Angular deviation zero.
26 - 27	68.0	Smooth coast; no islands. Encloses wide but shallow indentation by joining headlands. See Summary below.
27 - 28	28.5	See Summary below.
28 - 29	14.0	Joins mainland capes. Deviation of angularity zero. Encloses several small bays and indentations. Termination of straight baselines. Low water mark of mainland forms baseline for approximately 452 nautical miles.
30 - 31	66.2	See Summary below.

Points	Distance (nautical miles)	Comments
32 - 33	25.9	Encloses water of bay but greater than 24 nautical miles.
33 - 34	10.8	Virtually identical with coastline.
34 - 35	22.5	Same, but see Summary below.
35 - 36	13.0	See below.
36 - 37	117.7	Second longest SBL. Very smooth coast with only minor indentations. See Summary below.
37 - 38	35.7	Joins mainland with offshore island. Angular deviation less than 5°. See Summary below.
38 - 1	62.9	Rejoins island with mainland, the north cape of Madagascar. The union is not obvious from the text of the law, but is shown on the annexed map of the decree. See Summary below.
Total length -	1,577.3 452.0	nautical miles of straight baseline nautical miles of coast line
	<hr/> 2,029.3	total baseline

SUMMARY

The turning points of the Madagascar straight baselines were most probably obtained from a small-scale map of the country [The accuracy of these maps is not verifiable.]. The map illustrating the baselines, for example, is 1:2,000,000. Consequently, when the data are transposed to large scale, and presumably more accurate maps, two types of problems become apparent. The first involves the location of the cited feature in relation to the given geographic coordinates. These in approximately four cases do not match. The second problem is more difficult to rationalize. Straight lines joining certain specified points intersect the mainland. The following straight baselines cross significant portions of the land territory--according to large-scale nautical charts published by the U.S. Oceanographic Office:

16 - 17	The tip of a cape at 21°21.2' South and 43°29.0' East is cut by the line.
18 - 20	An extensive area centered on Cap Tsimilahovalala (c. 15 n.m.) is cut as is a smaller area about Tsifota.
21 - 22	Two capes near Anakao are cut. Point 21 plots in the open sea. Roches de Lanivato (not Falaises de . . .) plot 12.5 miles to the southeast.
27	Point plots 4.5 nautical miles from named feature.
30 - 31	The line of a large-scale chart (HO 3829) cuts through the island of Ste Marie.
34 - 35	A small cape--Cap Tanjona--is cut.
35	The point plots four nautical miles from the mapped feature.
35 - 36	If the point is accepted, the SBL "skims" the coast. If the plotted feature, the line intersects the coast for a considerable distance.
36 - 37	The coast is intersected for a distance of nearly 14 miles between 13°41' and 13°54' south.

The Malagasy Government informed the U.N. that the lines would be published on large-scale charts. These have not been seen.

The thirty-seven straight baseline segments total 1,577.3 nautical miles in length. The average measures 42.7 nautical miles; the shortest, 10.7 nautical miles; and the longest, 123.1 nautical miles. Two segments measure more than 100 miles in length. The northwestern coast and parts of the northeast coast of Madagascar could meet the definition of "deeply indented or cut into" or "fringed with islands." Elsewhere the coast line is relatively smooth although large areas of reef are situated close-in, or are attached to, the coast. The reef is particularly widespread along the western coast.

The Malagasy Republic is a party to the Geneva Convention on the Territorial Sea and the Contiguous Zone.